

Thomas O. Forslund, Director

Governor Matthew H. Mead

Policy Title:	Data Services Required by Law
Policy Number:	AS-001
Effective Date:	July 15, 2013
Approval:	Thomas O. Forslund, Director 7/15/13 Date

Purpose:

Wyoming Department of Health (WDH) does not have direct access and control of all aspects of its data. This policy describes WDH's process for obtaining satisfactory assurances from its vendors who provide data services required by law.

Policy:

- 1. **General.** The WDH will implement the necessary agreements with vendors to assure that data security is achieved.
- 2. **Failure to Comply by Vendor.** If other law including State law contains requirements applicable to the business associate and the business associate is required by law to perform a function or activity on behalf of WDH or to provide a service described in the definition of business associate in 45 CFR § 160.103 WDH may disclose protected health information to the business associate to the extent necessary to comply with the legal mandate without meeting the requirements of this paragraph and 45 CFR § 164.314(a)(1), if applicable, provided that WDH attempts in good faith to obtain satisfactory assurances as required by 45 CFR§ 164.314(a)(1), if applicable, and, if such attempt fails, documents the attempt and the reasons that such assurances cannot be obtained.

Contacts:

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Policies:

AS-020; Business Associate Agreements and Other Arrangements

References:

45 CFR § 160.103 45 CFR § 164.308(b) 45 CFR § 164.314(a) 45 CFR § 164.502(a)(3) and (4) and (e) 45 CFR § 164.504(e)